

# In The United States Court of Federal Claims

No. 06-383T

(Filed: December 18, 2008)

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HARRY G. SCHORTMANN, JR., and  
JACQUELINE SCHORTMANN,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On December 9, 2008, a status conference was held in this case. Participating in the conference were Miriam Fisher, on behalf of plaintiffs; and Jacob Christensen, on behalf of defendant. In accordance with the discussion held therein, the court adopts the following schedule for pre-trial filings and trial in this matter:

1. Discovery shall be re-opened until January 9, 2009, for the limited purpose of allowing defendant to question or depose plaintiffs on notes that were only recently disclosed to defendant;
2. On or before January 16, 2009, the parties shall have the Meeting of Counsel and exchange exhibits and information on witnesses, including expert witnesses, to be used at trial. *See* RCFC, Appendix A, ¶ 13(a) and (b);
3. On or before February 6, 2009, plaintiffs shall file:
  - (a) A Memorandum of Contentions of Fact and Law, containing a summary of plaintiffs' basic factual contentions, together with any applicable legal authority. *See* Appendix A, ¶ 14(a);
  - (b) A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;

- (c) A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16;
- 4. On or before March 13, 2009, defendant shall file:
  - (a) Its response to plaintiffs' Memorandum of Contentions of Fact and Law. *See* Appendix A, ¶ 14(b);
  - (b) A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;
  - (c) A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16;
- 5. A pre-trial conference will be held on April 14, 2009, at 10:00 a.m. (EST) at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be posted in the lobby on the day of the conference; and
- 6. Trial in this case will commence on April 29, 2009, in Boston, Massachusetts, at a courthouse to be established by future order.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge